

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

11 MICHAEL DRUSSEL, as next friend ) 3:12-cv-00551-HDM-WGC  
12 of his minor child, T.D., )  
13 Plaintiff, ) ORDER  
14 vs. )  
15 ELKO COUNTY SCHOOL DISTRICT, JACK )  
16 FRENCH, and MIKE ALtenburg, )  
17 Defendants. )  
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19 On July 2, 2013, the court ruled on defendants' motion to  
20 dismiss, reserving its decision as to that part of defendants'  
21 motion that sought to dismiss plaintiff's defamation, libel, and  
22 slander claim under Nevada's Anti-SLAPP law. The court directed  
23 the parties to engage in limited discovery with respect to that  
24 claim and directed plaintiff to file any supplemental opposition on  
25 or before August 12, 2013. The court also granted plaintiff leave  
26 to file an amended complaint with respect to certain of his claims  
27 that had been dismissed.

28 On July 22, 2013, plaintiff filed an amended complaint. The  
amended complaint does not contain a defamation, libel, and slander

1 claim. On August 12, 2013, defendants filed an answer to that  
2 complaint. Plaintiff's amended complaint supersedes his original  
3 complaint. *Dichter-Mad Family Partners, LLP v. United States*, 707  
4 F. Supp. 2d 1016, 1054 (C.D. Cal. 2010). Accordingly, the  
5 defendants' motion to dismiss plaintiff's defamation, libel, and  
6 slander claim pursuant to Nevada's Anti-SLAPP law is **DENIED AS**  
7 **MOOT.**

8 IT IS SO ORDERED.

9 DATED: This 13th day of August, 2013.

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12 UNITED STATES DISTRICT JUDGE  
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